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 LIBERTY LIFE ASSURANCE COMPANY OF  
 8 BOSTON

9  
 10 UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

11  
 12 ANITA B. CARR,  
 13 Plaintiff,  
 14 v.  
 15 LIBERTY LIFE ASSURANCE  
 COMPANY; PROVIDIAN BANCORP  
 SERVICES, PROVIDIAN FINANCIAL  
 HEALTH PLAN,  
 16 Defendants.

CASE NO. C 05-3190 TEH

**JOINT STATUS REPORT OF PLAINTIFF  
 AND LIBERTY LIFE ASSURANCE  
 COMPANY OF BOSTON AND  
~~[PROPOSED]~~ ORDER GRANTING A TWO  
 WEEK CONTINUANCE TO FURTHER  
 MEET AND CONFER**

19  
 20 Pursuant to the Court's Order filed on January 10, 2006, plaintiff Anita Carr and  
 21 defendant Liberty Life Assurance Company of Boston ("Liberty Life") met and conferred  
 22 regarding the status of this case in light of the dismissal of co-defendants Providian Bancorp  
 23 Services and Providian Financial Health Plan in favor of binding arbitration. The court ordered  
 24 the parties to either stipulate to the dismissal of Liberty or file a joint statement regarding their  
 25 respective positions by January 18, 2006. Liberty, however, needs additional time in order to  
 26 make a determination as to whether it will agree to dismissal and binding arbitration. The  
 27 dismissal of the Providian defendants has raised complex legal issues. Accordingly, the parties  
 28 request an additional two weeks, up to and including, February 1, 2006 to file a stipulation and

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ROPER MAJESKI RWC

003

1 proposed order of dismissal or a joint statement.

2 Dated: January 18, 2006

KRAFCHICK LAW FIRM

3 By:

4 STEVEN P. KRAFCHICK  
5 Attorneys for Plaintiff  
6 ANITA B. CARR

7 Dated: January 18, 2006

8 ROPERS, MAJESKI, KOHN & BENTLEY

9 By:

10 PAMELA E. COGAN  
11 KATHRYN C. CURRY  
12 ERIN A. CORNELL  
13 Attorneys for Defendant  
14 LIBERTY LIFE ASSURANCE  
15 COMPANY OF BOSTON

16 ORDER

17 IT IS SO ORDERED. Plaintiff Anita Carr and Defendant Liberty Life Assurance  
18 Company of Boston shall file a Stipulation and Order dismissing Liberty Life from this action or  
19 shall file a joint statement regarding their respective positions by February 1, 2006.

20 DATED: January 18, 2006

21 Honorable Thelton E. Henderson  
22 UNITED STATES DISTRICT COURT JUDGE

23 *Thelton E. Henderson*  
24 Judge Thelton E. Henderson

